

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JULIUS D. ERVING,

Petitioner,

-vs-

WARDEN RANDY PFISTER,

Respondent.

No. 15-cv-394-DRH

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This matter is before the Court on Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2254 and Respondent's Motion to Dismiss for Failure to Exhaust State Court Remedies (Doc. 11).

IT IS ORDERED AND ADJUDGED that pursuant to the Memorandum and Order entered by this Court on July 23, 2015 (Doc. 20), the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2254 is **DISMISSED without prejudice**. Judgment is in favor of the Respondent.

JUSTINE FLANAGAN,
ACTING CLERK OF COURT

BY: s/Caitlin Fischer
Deputy Clerk

DATED: July 23, 2015

Digitally signed by
David R. Herndon
Date: 2015.07.23
14:49:27 -05'00'

David R. Herndon

APPROVED:

U.S. DISTRICT JUDGE
U. S. DISTRICT COURT